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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DARRYL GILLIAN, 01-A-1478,

Plaintiff,

-v-

DECISION and ORDER
05-CV-6429P

COMMISSIONER GLENN S. GOORD, et al.,

Defendants.

Plaintiff's motion for appointment of counsel is denied without prejudice at this time. Plaintiff has been directed to file an amended complaint, without which some of his claims will be dismissed. Therefore, there is insufficient information before the Court at this time to make the necessary assessment of plaintiff's claims under the standards promulgated by *Hendricks v. Coughlin*, 114 F.3d 390, 392 (2d Cir. 1997), and *Hodge v. Police Officers*, 802 F.2d 58 (2d Cir. 1986). It is the plaintiff's responsibility to retain an attorney or press forward with this lawsuit *pro se*. 28 U.S.C. § 1654. The Clerk of the Court is directed to send plaintiff a copy of the booklet, "The Pro Se Litigation Guidelines," which may assist plaintiff in the course of this litigation.

SO ORDERED.

DATED: Rochester, New York
December 13, 2005

s/Marian W. Payson

MARIAN W. PAYSON
United States Magistrate Judge